

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**JUSTIN LEE NABER,**

**Plaintiff,**

**v.**

**No. 15-cv-0129 KG/SMV**

**BERNALILLO COUNTY METROPOLITAN  
DETENTION CENTER, FNU GREER,  
VIRGINIA CHAVEZ, FNU GRANT,  
FNU HOGAN, and CHAPLAIN DEPARTMENT,**

**Defendants.**

**ORDER GRANTING LEAVE TO PROCEED  
PURSUANT TO 28 U.S.C. § 1915(b)**

THIS MATTER is before the Court on Plaintiff's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 [Doc. 2]. Because the Court grants the application, the filing fee for this civil rights complaint is \$350.00. Pursuant to § 1915(b)(1), Plaintiff is required to make installment payments until the full amount of the filing fee is paid. Based on the information about Plaintiff's financial status, the Court will waive an initial partial payment pursuant to § 1915(b)(1). Failure to comply with this order may result in dismissal of the complaint without further notice.

**IT IS THEREFORE ORDERED** that Plaintiff's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 [Doc. 2] is **GRANTED**, and the initial payment is **WAIVED**.

**IT IS FURTHER ORDERED** that Plaintiff file monthly financial certificates and make monthly payments of twenty percent (20%) of the preceding month's income credited to his

account or show cause why the payment should be excused; and the Clerk is **DIRECTED** to provide Plaintiff with two copies of the post-filing financial certificate.

**IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read 'S. Vidmar', is positioned above a horizontal line.

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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**